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The original instrument was prepared by Michelle Ducharme. The following digest, which does not constitute a part of the legislative instrument, was prepared by Camille Sebastien Perry.

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## DIGEST

LaFleur (SB 587)

Proposed law provides that notwithstanding the laws and regulations governing certified shorthand reporters, each judge of a city, ward, or district court shall have the authority to appoint, designate, and name an official court reporter or deputy official court reporter.

Proposed law requires the court reporter to make a verbatim record of oral court proceedings through the use of written symbols or abbreviations in shorthand or machine writing, stenomask voice recording, computer assisted technology, electronic audio recording, or any other generally recognized manner of court reporting that is acceptable and approved by the judge, using equipment generally accepted in the field of court reporting and approved by the judge.

Proposed law requires that the official court reporter be proficient and knowledgeable in the operation of any and all electronic equipment chosen by the judge for the purpose of recordation of testimony.

Proposed law provides that an appointed court reporter not engaged in electronic reporting shall be certified by the Louisiana Board of Examiners of Certified Shorthand Reporters and a court reporter engaged in electronic reporting shall be certified by the American Association of Electronic Reporters and Transcribers.

Proposed law requires the board to issue a certificate to an appointed court reporter upon proof of passage of the American Association of Electronic Reporters and Transcribers examination and the board is further required to promulgate by rule procedures for issuing such certificate.

Proposed law authorizes a certified court reporter to engage in electronic reporting if, within a two year period commencing on August 15, 2010, or the date of appointment, whichever is later, such court reporter obtains certification from the American Association of Electronic Reporters and Transcribers. Additionally, a court reporter who has been certified by the board in any method of reporting, or who has received limited certification granted pursuant to any intergovernmental agreement between a court and the board, and who is performing duties for a court of record using electronic reporting as a means of making the verbatim record of court proceedings as of August 15, 2010, shall be deemed certified in electronic reporting and transcribing, and shall not be required to obtain further certification as long as they remain employed by the same court and are using generally acceptable electronic equipment recognized in the field of court reporting and approved by the judge.

Proposed law places limitations on the official court reporter by prohibiting the official court reporter appointed under proposed law from serving as a general or freelance reporter, except as

provided by law.

Proposed law provides that the official court reporter shall have authority to certify and confirm the integrity of all transcripts of proceedings from the court for which he is appointed.

Proposed law requires the presiding judge to oversee and supervise the official court reporter.

Proposed law mandates that the official court reporter appointed shall obtain at least twelve continuing education credits during a period of two consecutive calendar years in courses approved by the board.

Proposed law defines "general or freelance reporter" as a person engaged in the reporting and transcribing of depositions, sworn statements, or public hearings or proceedings, whether self-employed or through any business, firm, corporation or agency, engaged in the reporting of depositions, sworn statements, or public hearings or proceedings.

Proposed law excludes the following from provisions of proposed law: the 19<sup>th</sup> JDC, the Orleans Parish Civil District Court, the Orleans Parish Criminal District Court, the New Orleans First and Second City Courts, the New Orleans Municipal and Traffic Courts, and on and after the effective date of its creation, the Forty-First Judicial District Court.

Present law (R.S. 37:2554) excludes electronic recording equipment, except for stenomasks, for use in the examination for certification.

Proposed law retains present law and additionally authorizes the use of digital recording equipment for examination purposes.

Proposed law adds digital recording to eligible methods to practice court reporting.

Effective August 15, 2010.

(Amends R.S. 37:2554(D) and (F), 2555(A) and (B); adds R.S. 13:10.5)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill.

1. Provides for the manner of certification for court reporter engaged in electronic reporting.
2. Provides for definition of "official court reporter" and "deputy official court reporter".

3. Changes continuing education credits from six to twelve and requires courses to be approved by the board.
4. Requires the board to certify court reporters upon passage of the American Association of Electronic Reporters and Transcribers exam and to promulgate rules based on the procedures for issuing such certificate.
5. Authorizes the use of digital recording equipment by applicants during the certification examination.
6. Adds digital recording to the eligible methods of the practice of court reporting.
7. Excludes certain courts from proposed law provisions authorizing certification of court reporters in the use of electronic recording.